

THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
CIVIL CASE NO. 1:16-cv-00149-MR  
[CRIMINAL CASE NO. 1:12-cr-00085-MR]

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DONZELL ALI McKINNEY,

Defendant.

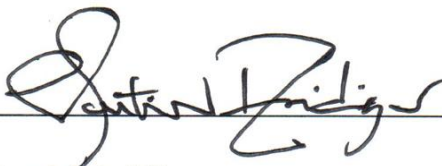
ORDER

**THIS MATTER** is before the Court on remand from the United States Court of Appeals for the Fourth Circuit for resentencing. [Docs. 20, 21].

In accord with the instructions of the Court of Appeals,

**IT IS ORDERED** that the Defendant's conviction regarding 18 USC § 924(c) (Count Two) is hereby vacated. Based thereon, **IT IS FURTHER ORDERED** that the sentence of the Defendant as to all counts is vacated. The Clerk is directed to set this matter for resentencing.

Signed: April 18, 2023

  
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Martin Reidinger  
Chief United States District Judge

